

Attorney Docket #10010261-1

Remarks/Arguments

Claims 1-8 and 13-19 remain in this application. Claims 1 and 13 have been amended. Claims 9-12 have been canceled.

A. Examiner's Remarks

Claims 1-4 and 13-15 were rejected under 35 U.S.C. § 102 (b) as being anticipated by USPN 5,426,498 to Brueck et al. (hereinafter, Brueck).

Claims 9-12 were rejected under 35 U.S.C. § 102 (e) as being anticipated by USPN 6,222,174 to Tullis et al. (hereinafter, Tullis).

Claims 5-8 and 16-19 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

B. Claim rejections - 35 U.S.C. §102(b) - claims 1-4 and 13-15

Claims 1-4 and 13-15 were rejected under 35 U.S.C. § 102 (b) as being anticipated by USPN 5,426,498 to Brueck.

Brueck teaches a method wherein a reflected beam 4 must be recombined with a deflected beam 5 to form an interference pattern 7 to measure displacement.

In distinct contrast to the prior art, the present invention only requires a reflected beam to form the image. Deflected beams are not used to form the image, because they are deflected away from the lens (Page 6, paragraph 23).

Claims 1 and 13 have been amended to indicate that only reflected beams from the first regions are needed to form an image. Independent claims 1 and 13 are believed to be allowable. Dependent claims 2-8 and 14-19 are also believed to be allowable, based on the allowability of claims 1 and 13.

No new matter has been introduced with this amendment. The rejections to claims 1-9 and 13-19 are believed to be overcome.

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C. Claim rejections - 35 U.S.C. §102(e) - claims 9-12

Claims 9-12 were rejected under 35 U.S.C. § 102 (e) as being anticipated by USPN 6,222,174 to Tullis et al. (hereinafter, Tullis).

Claims 9-12 have been canceled. No new matter has been introduced with this amendment.

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Conclusion

If there are any further questions or if more discussion is required, the Examiner is invited to call the Applicant's agent at the telephone number given below. In view of the above, the claims presently in the application are believed to be distinct over the prior art and in condition for allowance. Accordingly, it is respectfully requested that such allowance be granted at an early date.

Respectfully submitted,

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